

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

SHARKEY IRO/IRA

v.

FRANKLIN RESOURCES, ET AL.

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* Case No.: 04-MD-15862, 04-MD-1310
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ORDER

For the reasons stated in the accompanying Memorandum, it is, this 22nd day of October 2009

ORDERED

1. Lead Plaintiff's Motion for Leave to File Second Consolidated Amended Class Action Complaint is GRANTED insofar as the amendments drop parties, drop claims, and add evidentiary detail to the theory of the case put forward in the Consolidated Amended Class Action Complaint.
2. Lead Plaintiff's Motion for Leave to File Second Consolidated Amended Class Action is DENIED insofar as the amendments offer information pertaining to Defendants' alleged knowing or reckless failure to disclose that they were unable to prevent market timing even when Defendants made good faith efforts to prevent such market timing.

_____/s/

J. Frederick Motz
United States District Judge